

ORIGINAL

ANDRÉ BIROTTE JR.
 United States Attorney
 ROBERT E. DUGDALE
 Assistant United States Attorney
 Chief, Criminal Division
 ANDREW BROWN (No. 172009)
 Assistant United States Attorney
 1100 United States Courthouse
 312 North Spring Street
 Los Angeles, California 90012
 Telephone: (213) 894-0102
 Facsimile: (213) 894-6269
 Email: andrew.brown@usdoj.gov

Attorneys for Plaintiff

UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LADAPO IBUKUNOLA TUBOSUN,

Defendant.

Case No. 12

12-1677M

GOVERNMENT'S NOTICE OF REQUEST
 FOR DETENTION

Plaintiff, United States of America, by and through its
 counsel of record, hereby requests detention of defendant and gives
 notice of the following material factors:

1. Temporary 10-day Detention Requested (§ 3142(d))

on the following grounds:

a. offense committed while defendant was on release
 pending (felony trial), (sentencing) (appeal) or

on (probation) (parole);

b. alien not lawfully admitted for permanent
 residence;

c. flight risk;

d. danger to community.

1 X 2. Pretrial Detention Requested (§ 3142(e)) because no
2 condition or combination of conditions will
3 reasonably assure against:

4 X a. danger (economic) to any other person or the
5 community;

6 X b. flight.

7 _____ 3. Detention Requested Pending Supervised
8 Release/Probation Revocation Hearing (Rules
9 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

10 _____ a. Defendant cannot establish by clear and
11 convincing evidence that he/she will not pose a
12 danger to any other person or to the community;

13 _____ b. Defendant cannot establish by clear and
14 convincing evidence that he/she will not flee.

15 _____ 4. Presumptions Applicable to Pretrial Detention (18
16 U.S.C. § 3142(e)):

17 _____ a. Title 21 or Maritime Drug Law Enforcement Act
18 ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense
19 with 10-year or greater maximum penalty
20 (presumption of danger to community and flight
21 risk);

22 _____ b. offense under 18 U.S.C. § 924(c) (firearm
23 used/carried/possessed during/in relation to/in
24 furtherance of crime), § 956(a), or § 2332b
25 (presumption of danger to community and flight
26 risk);

27 _____ c. offense involving a minor victim under 18 U.S.C.
28

§§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4), 2260, 2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);

____ d. defendant currently charged with (I) crime of violence, (II) offense with maximum sentence of life imprisonment or death, (III) Title 21 or MDLEA offense with 10-year or greater maximum sentence, or (IV) any felony if defendant previously convicted of two or more offenses described in I, II, or III, or two or more state or local offenses that would qualify under I, II, or III if federal jurisdiction were present, or a combination of such offenses, AND defendant was previously convicted of a crime listed in I, II, or III committed while on release pending trial, AND the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

X 5. Government Is Entitled to Detention Hearing Under § 3142(f) If the Case Involves:

____ a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or

1 more;

2 _____ b. an offense for which maximum sentence is life
3 imprisonment or death;

4 _____ c. Title 21 or MDLEA offense for which maximum
5 sentence is 10 years' imprisonment or more;

6 _____ d. instant offense is a felony and defendant has two
7 or more convictions for a crime set forth in a-c
8 above or for an offense under state or local law
9 that would qualify under a, b, or c if federal
10 jurisdiction were present, or a combination or
11 such offenses;

12 _____ e. any felony not otherwise a crime of violence that
13 involves a minor victim or the possession or use
14 of a firearm or destructive device (as defined in
15 18 U.S.C. § 921), or any other dangerous weapon,
16 or involves a failure to register under 18 U.S.C.
17 § 2250;

18 X f. serious risk defendant will flee;

19 _____ g. serious risk defendant will (obstruct or attempt
20 to obstruct justice) or (threaten, injure, or
21 intimidate prospective witness or juror, or
22 attempt to do so).

23 _____ 6. Government requests continuance of _____ days for
24 detention hearing under § 3142(f) and based upon the
25 following reason(s):
26 _____
27 _____
28

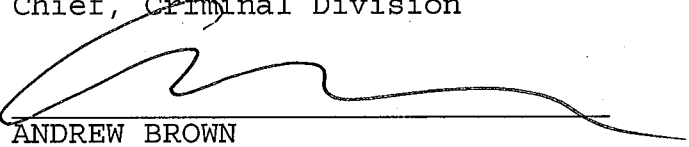
7. Good cause for continuance in excess of three days exists in that:

DATED: July 11, 2012

Respectfully submitted,

ANDRÉ BIROTTE JR.
United States Attorney

ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division


ANDREW BROWN
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA